

IN THE UNITED STATES DISTRICT COURT FOR

THE MIDDLE DISTRICT OF ALABAMA

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2007 DEC 11 A 9:25

DEBRA P.  
U.S. DISTRICT COURT  
MIDDLE DISTRICT ALA

James Edward Gary Jr.

Plaintiff(s)

vs.

3:07-CV-1074-WKW

State of Alabama

Defendant(s)

I, James Edward Gary Jr., being first duly sworn, depose and say that I am the plaintiff in the above entitled case; that in support of my motion to proceed without being required to prepay fees, costs or give security therefor, I state that because of my poverty I am unable to pay the costs of said proceeding or to give security therefor; that I believe I am entitled to relief. I recognize that I may be prosecuted for any false statement which I may make herein.

I further swear that the responses which I have made to questions and instructions below is true.

1. Are you presently employed? YES ( ) NO (✓)

A. If the answer is YES, state the amount of your salary or wages per month, and give the name and address of your employer.

\_\_\_\_\_

B. If the answer is NO, state the date of last employment and the amount of salary and wages per month which you received.

Can't remember

2. Have you received within the past twelve months any money from any of the following sources?

A. Business, profession or form of self-employment? YES ( ) NO (✓)

B. Rent payments, interest or dividends? YES ( ) NO (✓)

C. Pensions, annuities or life insurance payments? YES ( ) NO (✓)

D. Gifts or inheritances? YES ( ) NO (✓)

E. Any other sources? YES (✓) NO ( )

If the answer to any of the above is YES, describe each source of money and state the amount received from each during the past twelve months.

My family may send me \$40.00 a month or every other month

3. Do you own cash, or do you have money in a checking or savings account? [Include any funds in prison accounts.] YES (☒) NO ( )

If the answer is YES, state the total value of the items owned.

often have funds in my Prison account

4. Do you own any real estate, stocks, bonds, notes, automobiles, or other valuable property [excluding ordinary household furnishings and clothing]? YES ( ) NO (☒)

If the answer is YES, describe the property and state its approximate value.

5. List the persons who are dependent upon you for support, state your relationship to those persons and indicate how much you contribute toward their support.

James E. [Signature]  
Signature of Affiant

STATE OF ALABAMA )  
COUNTY OF \_\_\_\_\_ )

Before me, a notary public in and for said County, in said State, personally appeared \_\_\_\_\_, whose name is signed to the foregoing complaint, who being duly sworn, deposes on oath and says:

That the information set forth in the foregoing affidavit is true and correct to the best of his knowledge and belief.

\_\_\_\_\_  
Signature of Affiant

Sworn to and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.


\_\_\_\_\_  
Notary Public

\_\_\_\_\_ County, Alabama

OR

I declare under penalty of perjury that the foregoing is true and correct.

Executed on Nov. 29, 2007  
(date)

  
Signature of Affiant

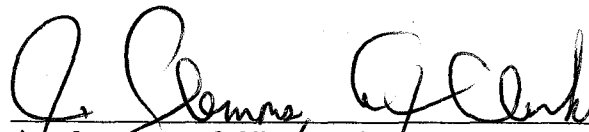
### CERTIFICATE

I hereby certify that the plaintiff herein has the sum of \$200.00 on account to his credit at the William E. Donaldson institution where he is confined. I further certify that plaintiff likewise has the following securities to his credit according to the records of said institution:

I further certify that he has had the average sum on account at this institution as of the first day of each month of the immediate preceding months (not to exceed six (6) months).

1. \$ \_\_\_\_\_ on the 1st day of \_\_\_\_\_
2. \$ \_\_\_\_\_ on the 1st day of \_\_\_\_\_
3. \$ \_\_\_\_\_ on the 1st day of \_\_\_\_\_
4. \$ \_\_\_\_\_ on the 1st day of \_\_\_\_\_
5. \$ \_\_\_\_\_ on the 1st day of \_\_\_\_\_
6. \$ \_\_\_\_\_ on the 1st day of \_\_\_\_\_

**COPY FOR COURT  
ATTACHED**

  
Authorized Officer of Institution

DATE December 3, 2007

James A. Beacham

STATE OF ALABAMA  
DEPARTMENT OF CORRECTIONS  
W.E. DONALDSON CORR. FACILITY

AIS #: 222516

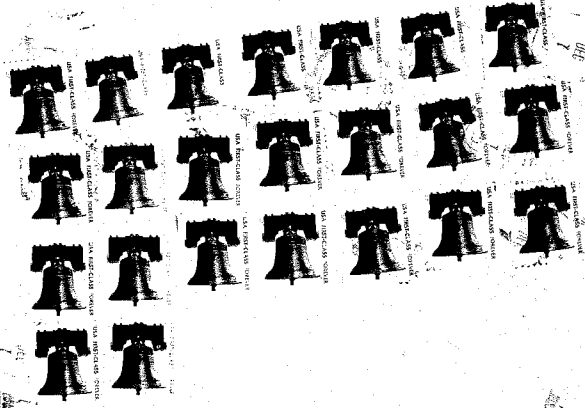
NAME: GARY, JAMES EDWARD

AS OF: 12/03/2007

MONTH	# OF DAYS	AVG DAILY BALANCE	MONTHLY DEPOSITS
DEC	28	\$0.00	\$0.00
JAN	31	\$5.30	\$32.80
FEB	28	\$34.79	\$90.00
MAR	31	\$53.72	\$40.00
APR	30	\$32.58	\$40.00
MAY	31	\$5.11	\$0.00
JUN	30	\$5.29	\$30.00
JUL	31	\$13.54	\$40.00
AUG	31	\$11.07	\$40.00
SEP	30	\$0.53	\$0.00
OCT	31	\$2.68	\$40.00
NOV	30	\$1.16	\$30.00
DEC	3	\$0.02	\$0.00

**COURT COPY**

James C. Day - L  
100 Warrior Lane  
Bessemer, AL 35023 C-25



The Clerk of the United States District Court  
P.O. Box 711  
Montgomery, Alabama 36101